

June 19, 2006  
Regular Session

### Minutes

#### Members present

Brady Wooten- Chairman  
Allen Sneed- Vice- Chairman  
Leon Casstevens- Commissioner  
Kim Clark Phillips- Commissioner  
D.C. Swaim- Commissioner

#### Others Present

Cecil E. Wood- County Manager  
Melinda Vestal-Clerk to the Board  
James Graham-County Attorney

Chairman Wooten called the meeting to order. Attorney Graham had the invocation. The Board had the pledge.

### **Public Hearing-Zoning**

Melanie Leleux, Planning Tech, presented an amendment to VII General Requirements & Minimum Standards of Design, Section 70, General Requirements, Amendment to Access Right of Way Definition as follows; the hi-lighted parts will be omitted:

**70:05 Access Right of Way.** Where a right of way, less than the required North Carolina Department of Transportation's Minimum Construction Standards for Subdivision Roads ~~for a proposed subdivision~~ has been granted prior to adoption of this ordinance and the ~~developer~~ property owner presents written proof that he cannot ~~feasibly~~ obtain the additional right of way needed to comply with the state standards, then ~~he will be permitted to develop the property~~ a variance may be granted at the discretion of the Planning Board.

This was unanimously approved by the Planning Board.

Ms. Leleux presented a rezoning request for David Phillips, Jr. to rezone property located at 5833 Old US 421 Hwy from Rural Agriculture to Highway Business. The request was approved by the Planning Board.

Mr. Phillips informed the Board that he would like to operate a small business at the location.

Chairman Wooten closed the public hearing.

### **Public Hearing-budget**

David Brown, Boonville Elementary Principal, stated he realizes the Board is hit with a lot of requests and having to decide where the money goes, how it can benefit the citizens of the county the most. He mentioned a recent approval of a garbage franchise. Mr. Brown stated he called Mr. Wood to express his opinion because the service was not in his area. He stated there is trash thrown in his yard due to the fact his on the Yadkin/Surry line and when people come back across the line they throw their trash in his yard. Mr. Wood represented the county well explaining to Mr. Brown other services he benefits from with his tax dollar. The Board of Commissioners are good stewards of county dollars for our citizens and the Board of Education are good stewards of the dollars given by the county to benefit our children. He discussed mandates which are passed down by the State to the Board of Education who in turn look to the county for funding assistance. Yadkin County currently serves 6,000 students who have two parents and two sets of grandparents which total approximately 48,000 people so the county gets more bang for the buck investing in our children. He stated the cuts in the school's budget cuts services which benefit our children, therefore making it difficult to offer our students the assistance they need. Mr. Brown introduced Emmy Bullin, a teacher assistant at Boonville School.

Ms. Bullin stated she wears many hats at Boonville School. She started working for the school system at the age of 16 driving a school bus. She currently serves on the School Improvement Team and she is very concerned with the proposed cuts which would

include teacher assistants, custodians and clerical positions all which are vital to our schools and students. Teacher assistants are highly qualified personnel who help the teacher and students in many ways. The assistant reaches those students who are struggling offering a more one on one, keeping them from falling through the cracks. We should choose success over failures. The assistant handles many situations-hygiene issues, emergency issues, custody issues and other issues which affect the students. She commented on the bus drivers and the qualifications required to drive a bus. The cafeteria staff provides healthy meals for our students. The custodians keep our buildings clean and safe. The clerical staff keeps the operation of school running on a daily basis. The SRO gives our children a sense of security also teaches them to respect themselves and authority. The non-certified positions in the school system are the backbones for our schools. The teachers get overloaded and move on to other systems, cutting out assistants will not only cause heavier loads on our teachers it will also leave our children struggling.

Theron O' Connor, student at Forbush High School, discussed the proposed cuts. He commented the assistant principals keep the schools running, making the student feel safe. He informed the Board that FHS has over 1,000 students. He stated the clerical staff handles calls from parents. The teachers are stressed with heavy loads. Mr. O'Connor stated he has dyslexia and over the years without the help of assistants he would have been one of those kids who fell through the cracks. He commented on the new building at Forbush and how there will be a need for an additional custodian. Everyone is overloaded, insufficient funds for the schools makes it hard for everyone, not enough supplies and old equipment. He asked the Board to reconsider the proposed cuts to the Board of Education.

Peggy Boose, Boonville, defined the word accountability adding that it does not mean there will be no money spent. She commented on the uncollected taxes and that after ten years they are written off. She stated the county has already overspent this year's budget by \$500,000. She commented on the recent purchase of carpet. She commented the county saved \$27,000 on the General Liability insurance by taking quotes. Ms. Boose stated she received a non-

numbered receipt for copies. She also commented that Yadkin County was the only county who had a reval that did not reduce the tax rate. She commented that anyone who questions the actions of the county is labeled a trouble maker and that the CSE members should be put out of their misery.

Bill Garrett, Boonville, asked the Board to consider the seniors in our county. He discussed the raises for teachers. He stated he is against any tax increase but does support the 2% for county employees. Mr. Garrett questioned UNIFI's existence, lottery funds, wine sales and tourism and how they should be generating sufficient revenues.

Dianne Doub, East Bend, spoke on the services provided by the county and how she does without a lot of things. She is accountable for her money and so should the county. If you want to pay more taxes, then write a check and take it to the tax office.

Karin Mendenhall, BOE Chair, explained the Board of Education budget. She stated they have used the fund balance in the past, but it's not an option this year. The cuts being proposed will mean personnel cuts. The budget presented is to maintain services. She commented on the proposed raises for the teacher and how they are well deserved. The personnel cuts will affect teacher assistants, clerical positions and custodians. She stated the BOE would not receive any proceeds from the lottery in 2006; State downsizing proceeds. Most school systems are getting their requests. Ms. Mendenhall stated the two Boards have worked well together. She thanked them for their consideration.

Jimmy Steelman, Hamptonville, stated the budget is like Christmas with want lists, but it should be what is needed. The Board should weed out the wants and set priorities; such as water/sewer and infrastructure.

Chairman Wooten closed the public hearing.

### **Public comments**

Chairman Wooten reviewed the guidelines for public comments.

W.C. Lawrence, developer, asked to the Board to consider approving his request to rezone 11.5 acres on Nesting Goose Rd. off Courtney-Huntsville Road from Rural Agriculture to Residential Restricted.

Joan Holcomb, Courtney, questioned the number of houses to be built by Mr. Lawrence. She stated this was tabled because proper notification was not given to the adjoining property owners. She presented petitions with 90 signatures against the rezoning. The community wants to save the integrity of the area. She stated the ordinances definition says there should be available water and sewer; which there is not. She asked the Board to deny the request.

Dr. David Welton, adjoining property owner, stated he bought his home five years ago when Courtney was a nice area, but over the past few years it has gone down hill. He mentioned the mess outside Briggs-Shaffner. He stated the number of homes Mr. Lawrence is proposing to build has varied. He does not want to live near a "ghetto" where bunches of houses are on top of each other.

Alice Singh, Yadkinville, stated the word 'ghetto' is not an appropriate word to use. Mr. Lawrence is proposing to build affordable housing. Ms. Singh also stated that her request to be on the agenda was denied because the Board wanted to review the adoption policy due to the recent rabies cases.

### **Minutes**

**\*Commissioner Sneed made the motion to approve the minutes. Commissioner Phillips seconded. The Board voted 5-0.**

**Social Services- Work First Program**

Mr. Wood reviewed the Work First Program and the difference between standard and electing.

**\*Commissioner Casstevens made the motion to remain a "standard" county for the Work First Program. Commissioner Sneed seconded. The Board voted 5-0.**

**Tax Administration-refunds**

	REFUNDS		
	DATE SUBMITTED FOR APPROVAL		
	JUNE 2006		
	NAME/REASON	YEAR	TOTAL REFUND
	DAVID G. HOOTS	2005	\$ 75.35
	1921 OLD STAGE RD		
	YADKINVILLE NC 27055		
	APPRAISER CORR VALUE OF		
	MANUFACTURED HOME		
	NELSON J HOOTS	2005	\$ 84.55
	7649 N. TRYON ST		
	CHARLOTTE NC 28262		
	APPRAISER CORR VALUE OF		
	MANUFACTURED HOME		
	TOTAL		\$ 159.90

**\*Commissioner Swaim made the motion to approve the tax refunds. Commissioner Phillips seconded. The Board voted 5-0.**

### **Fire Marshal-fireworks permits**

**\*Commissioner Sneed made the motion to approve the fireworks permits for East Bend's and Yadkinville's July 4<sup>th</sup> celebrations. Commissioner Casstevens seconded. The Board voted 5-0.**

**Chairman Wooten called for a break.**

### **Finance-budget amendments** **Register of Deeds**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended
Contingency	1059910-57500	16,900	(8,000)	8,900
Lease Agreements	1054180-51750	40,000	8,000	48,000

To amend for the payments to Logan systems for automation

Chairman Wooten suggested redoing the amendment taking the amount out of automation.

**\*Commissioner Phillips made the motion to approve the amendment taking the funds out of the automation line. Commissioner Sneed seconded. The Board voted 5-0.**

Description	Account Number	Original Budget	Increase/Decrease	Amended
Salaries & Wages Part-time	1054180-51030	15,000	4,090	19,090
Supplemental Retirement	1054180-51331	6,700	1,976	8,676
Lease-Agreement-Logan	1054180-51750	40,000	6,360	46,360
Appropriated Fund Balance	1044000-4900	862,807	12,426	875,233

## 1110

To amend for expenses in Register of Deeds

**\*Commissioner Phillips made the motion to approve the budget amendment with the deletion of the lease agreement line.(Account 1054180-51750). Commissioner Sneed seconded. The Board voted 5-0.**

### Health

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Maternal Health				
Supplies	105516352010	10,000.00	(9.78)	9,990.22
March of Dimes				
Supplies	105515852010	-0-	9.78	9.78

\*Moving March of Dimes Grant monies to balance line items.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Nursing/Medical				
Insurance/Bond	105511155150	4,800	(1,088)	3,712
Workers Comp	105511151380	12,000	(1,258)	10,742
Administrative				
Insurance/Bond	105511055150	19,600	(269)	19,331
Administrative				
Workers Comp	105511051380	9,400	2,615	12,015

\*No new County funds. Moving money to balance line items.

**\*Commissioner Sneed made the motion to approve the budget amendment. Commissioner Swaim seconded. The Board voted 5-0.**



Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
TB				
Contract Services	105512151700	2,222	(1,500)	722
CD/BT				
Travel	105512054010	-0-	1,500	1,500

\*Moving state funds to balance line items.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Revenue				
Healthy Carolinians				
Question Why	104519044222	-0-	3,993	3,993
Expense				
Healthy Carolinians				
Supplies	105519052010	6,500	3,693	10,193
Travel	105519054010	2,000	300	2,300

\*Dispersing Grant funds to expense line items.

Recommendation: Health Director recommends approval of budget amendments.

**\*Commissioner Phillips made the motion to approve the budget amendments. Commissioner Swaim seconded. The Board voted 5-0.**

### Register of Deeds

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Salaries & Wages-part-time	1054180-51030	15,000.00	4,090.00	19,090.00
Supplemental Retirement	1054180-51331	6,700.00	1,976.00	8,676.00
Lease Agreement-Logan	1054180-51750	40,000.00	6,360.00	46,360.00
Appropriated Fund	1044000-	862,807.00	12,426.00	875,233.00

Balance	49000			
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To amend for expenses in Register of Deeds.

**\*Commissioner Phillips made the motion to approve the budget amendment with the deletion of the lease agreement line. Commissioner Sneed seconded. The Board voted 5-0.**

### **Community Justice Program**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Professional Services	1054323-51500	87,000.00	2,761.00	89,761.00
Appropriated Fund Balance	1044000-49000	875,233.00	2,761.00	877,994.00

To amend for expenses in Community Justice Partnership.

**\*Commissioner Phillips made the motion to approve the budget amendment. Commissioner Casstevens seconded. The Board voted 5-0.**

### **Public Buildings**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Equipment	1054260-56010	3,750.00	4,725.00	8,475.00
Buildings/Grounds Maintenance	1054260-53010	45,365.00	( 4,725.00)	40,640.00

To reclassify funds from a maintenance line to equipment to cover for the replacement of three heat pumps.

**\*Commissioner Sneed made the motion to approve the budget amendment. Commissioner Casstevens seconded. The Board voted 5-0.**

## Water

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Water Pymts- Industry Revenue	6144714-43175	-0-	12,000.00	12,000.00
Water Expense	6154714-54310	-0-	12,000.00	12,000.00

To amend for the payments to be received and expenses to be incurred for hook on of the water line.

**\*Commissioner Phillips made the motion to approve the budget amendment. Commissioner Sneed seconded. The Board voted 5-0.**

## Interfund

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Transfer from Capital Reserve Fund	6044000-42412	-0-	200,000.00	200,000.00
Appropriated Fund Balance	6044000-49000	756,000.00	(200,000.00)	556,000.00

To amend for the movement of funds that are held in Capital Reserve for the Enterprise Fund to the Enterprise Fund to be used to cover excess expenses.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Transfer to Enterprise Fund	2154213-57020	-0-	200,000.00	200,000.00
Appropriated Fund Balance	2144213-49000	3,094,378.00	200,000.00	3,294,378.00

To amend for the movement of funds that are held in Capital Reserve for the Enterprise Fund to the Enterprise Fund to be used to cover excess expenses.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Transfer from General	2144213-	-0-	771,622	771,622

Fund	42410			
Appropriated Fund Balance	2144213-49000	3,866,000	(771,622)	3,094,378

To amend for the movement of the excess of Article 42 sales tax to Capital Reserve Fund for the schools after all capital outlay expense for the schools has been met in the General Fund. Also, to amend for the movement of funds from the Soil & Water for 5-D and from Economic Development for 421/77 water development to the Capital Reserve Fund

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Transfer to Capital Reserve Fund	1054212-57010	-0-	170,370	170,370
Appropriated Fund Balance	1044000-49000	692,537	170,370	862,807

To amend for the movement of the excess Article 42 sales tax to Capital Reserve Fund for the schools after all capital outlay expense for the schools has been met in the general fund.

**\*Commissioner Phillips made the motion to approve the budget amendments for the interfund transfers. Commissioner Swaim seconded. The Board voted 2-3. Commissioners Wooten, Casstevens, and Sneed opposed.**

Mr. Wood explained to the Board if these are not approved the enterprise fund would be overspent and the county will be written up by the Auditor.

Chairman Wooten asked for a more clear explanation.

## **Jail**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Food/ Provisions	1054320-52200	195,000.00	86,000.00	281,000.00
Appropriated fund Balance	1044000-49000	554,037.00	86,000.00	640,037.00

To amend for food and provisions for inmates.

**\*Commissioner Sneed made the motion to approve the budget amendment. Commissioner Phillips seconded. The Board voted 5-0.**

### **Community Action Plan**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Unemployment Insurance/self-funding	1055800-51381	8,000.00	5,000.00	13,000.00
Appropriated fund Balance	1044000-49000	640,037.00	5,000.00	645,037.00

To amend for unemployment insurance that was paid out in 2005-2006.

**\*Commissioner Phillips made the motion to approve the budget amendment. Commissioner Sneed seconded. The Board voted 5-0.**

### **Non-Departmental**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Retiree Insurance	1059000-51355	47,400.00	2,300.00	49,700.00
Professional Services	1059000-51500	44,000.00	1,500.00	45,500.00
Audit	1059000-51530	65,000.00	2,800.00	67,800.00
Discount on Taxes	1059000-51715	90,000.00	33,800.00	123,800.00
Tax Refunds	1059000-55300	35,000.00	4,000.00	39,000.00
DMV Refunds	1059000-55301	6,000.00	3,000.00	9,000.00
Appropriated Fund Balance	1044000-49000	645,037.00	47,400.00	692,437.00

To amend for incurred expenses that exceeded the budget.

**\*Commissioner Swaim made the motion to approve the budget amendment. Commissioner Phillips seconded. The Board voted 4-1. Commissioner Casstevens opposed.**

### **Zoning**

**\*Commissioner Phillips made the motion to approve the text amendment as follows:**

**70:05 Access Right of Way.** Where a right of way, less than the required North Carolina Department of Transportation's Minimum Construction Standards for Subdivision Roads ~~for a proposed subdivision~~ has been granted prior to adoption of this ordinance and the ~~developer~~ property owner presents written proof that he cannot ~~feasibly~~ obtain the additional right of way needed to comply with the state standards, then ~~he will be permitted to develop the property~~ a variance may be granted at the discretion of the Planning Board.

**Commissioner Sneed seconded. The Board voted 5-0.**

**\*Commissioner Sneed made the motion to approve the rezoning request for David Phillips, Jr. The request is to change Old US 421 Hwy from rural agriculture to highway business. Commissioner Phillips seconded. The Board voted 5-0.**

**\*Commissioner Swaim made a motion to set a public hearing on July 17<sup>th</sup> for proposed zoning changes. Commissioner Phillips seconded. The Board vote 5-0.**

Ray Maneri, Planning Consultant, discussed the rezoning request submitted by Mr. Lawrence. This request was approved by the Planning Department and the property owners were properly notified per the ordinance at that time. There have been some changes, administratively, regarding notifications. The current zoning is rural agriculture and he is asking it to be changed to residential restricted.

Commissioner Phillips inquired about a higher level of residential restricted.

Ms. Leleux stated the Planning Board discussed a higher residential restriction but no action was taken.

The Board discussed the notification process.

**\*Commissioner Sneed made the motion to approve the rezoning request for W.C. Lawrence changing the property at Nesting Geoses Road from rural agriculture to residential restricted. Commissioner Casstevens seconded. The Board voted 3-2. Commissioners Swaim and Phillips opposed.**

Chairman Wooten called for a break.

### **Commissioner comments**

Commissioner Swaim stated he appreciated all the hard work Mr. Wood has put into the budget. He commented the county lost \$111 million over the past three years and the county's costs continue to increase.

Commissioner Phillips discussed the Zoning Ordinance. She commented she was not comfortable with the action taken on Mr. Lawrence's request. She would like a higher level of residential restricted. She suggested working on the Zoning Ordinance.

Commissioner Phillips commented on the recent tragedy involving an ATV and the young man from East Bend.

Commissioner Phillips informed the Board that the old prison is owned by the DOT not DOC.

Commissioner Phillips thanked Mr. Wood and the Department Heads for their hard work on the budget. She discussed the budget for the schools and the cutting of 32 jobs. She stated property tax is the main source for revenues. She questioned the responsibility of the Board for providing for the schools. She is not comfortable with the proposed budget.

Commissioner Casstevens stated he attended the retirement party for Woodie and Linda Gough. He commended them on thirty years of service.

Commissioner Casstevens commented on a letter he received from the Association regarding Medicaid.

Commissioner Casstevens encouraged the Board to pursue the prison property.

Commissioner Sneed stated he would like the Board to recognize our POWs.

Chairman Wooten discussed the levels of zoning. He encouraged the Planning Board to review the possibility of a higher residential restricted.

The Board discussed the attendance of Planning Board members.

Chairman Wooten commented on the ATVs in his area and the safety of the riders.

Chairman Wooten inquired about Workers Comp.

Mr. Wood stated it's budgeted at 3%.

Chairman Wooten asked for a closed session.

### **Manager comments**

Mr. Wood reviewed the progress on the courthouse. He stated the Architect wanted a signed contract.

Mr. Wood updated the Board on the proposed water projects. He presented a contract from Arcadis regarding the water projects; the amount is \$265,000 for all projects.



**\*Commissioner Phillips made the motion to approve the contract with Arcadis. Commissioner Swaim seconded. The Board voted 5-0.**

Mr. Wood informed the Board of an accident involving an Animal Control Officer.

Mr. Wood commended Woodie and Linda Gough on a job well done running the group home. He informed the Board on the options for the group home; keep operation as is or a Battered Women's Shelter. Mr. Wood suggested keeping the group home as a similar operation. He has talked with Turning Point located in Mooresville and has asked them to submit a business plan. Turning Point has the proper funding and they are a for profit organization. They also have a history with mental health providers.

**\*Commissioner Swaim made the motion to proceed with Turing Point and obtain a business plan. Commissioner Phillips seconded. The Board voted 5-0.**

Mr. Wood stated the house would be leased and the county would be held harmless.

Mr. Wood informed the Board of a request from the Town of Yadkinville regarding the old gray Mackie house. The Town has used the Mackie property in the past during the Grape Festival. They are offering to tear down the house. They will provide the county with storage space.

It was the consensus of the Board to allow the Town of Yadkinville to tear down the old gray house on the Mackie property.

Commissioner Casstevens reported on a phone call regarding the handicap parking at the Yadkinville library. He also inquired about the property located next door to the library.

The Board set the next budget meeting for Wednesday, June 21<sup>st</sup> at 6:30 p.m.

**Closed Session**

**\*Commissioner Casstevens made the motion to go in closed session per G.S. 143-318.11(a)(3). Chairman Wooten seconded. The Board voted 5-0.**

**\*Commissioner Swaim made the motion to come out of closed session. Commissioner Phillips seconded. The Board voted 5-0.**

**Recess**

**\*Commissioner Phillips made the motion to recess until June 21<sup>st</sup> at 6:30 p.m. Commissioner Swaim seconded. The Board voted 5-0.**

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Melinda Vestal, CMC  
Clerk to the Board